

REGULAR MEETING AGENDA

Wednesday, December 10, 2014 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

OPENING

Requests to the ZBA involve important legal property rights. The proposal may expand one owner's limitations and reduce another's protections as defined within the Zoning Regulations. Therefore, any information considered must be clearly provided and all hearing comments are recorded. **Please speak only into the microphones near the podium. In order to avoid unnecessary distractions, please silence all electronic/communication devices and avoid side conversations** within the meeting room and hallway near the door.

The ZBA will make every reasonable effort to complete this agenda in a timely manner. However, complications may arise and it may be difficult to properly consider all of the requests tonight. You can be helpful by making your presentation efficiently. Due to necessary scheduling of ZBA members, and possible involvement with other Board/Commission review, the following items may be considered out of sequence. Application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting. Please understand that one or more hearing items may need to be opened and continued to a subsequent meeting and some hearings may be completed tonight but ZBA deliberation of the requests may be postponed to a later date. After the hearing of the project you are interested in is concluded, you may choose to make subsequent inquiries about a possible decision to ZBA office staff at 203-656-7351 during regular business hours.

OTHER BUSINESS

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory

responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Discussion, deliberation and possible authorization for Town Attorney John Louizos to settle specific pending litigation.

PUBLIC HEARINGS

CALENDAR NO. 38-2014

TO BE RECONTINUED TO JANUARY 14, 2015

The application of Eileen & John Raleigh regarding the property of Douglas & Cameron Sokolik submitted on August 13, 2014 for an appeal under Section 1122, of the Darien Zoning Regulations, of the decision of the Zoning Enforcement Officer to sign a Zoning Permit for the construction of additions at 10 Hillcrest Avenue. The subject property is situated on the west side of Hillcrest Avenue approximately 800 feet north of its intersection with Middlesex Road and is shown on Assessor's Map #27 as Lot #38, being 10 Hillcrest Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 57-2014

The application of Sandi Leamon and RGLA Solutions, Inc. on behalf of The Orvis Company, tenant, and Equity One Inc. for an amendment of the previously approved plans of ZBA Calendar No. 84-1997 and variances of Section 924 of the Darien Zoning Regulations; to allow the installation of a wall sign; Section 924: 56.0 in lieu of 19.68 maximum allowable square footage for sign panel; 17 inch in lieu of 10 inch maximum letters height; and L.E.D. internal illumination where that is not permitted. The subject property is located on the southeast corner of the intersection of Boston Post Road and Old King's Highway North and is shown on Assessor's Map #35 as Lot #1, being 432 Boston Post Road and located in an DB-2 (Designed Business Two – commercial) Zone.

CALENDAR NO. 58-2014

The application of John Gallagher on behalf of Meredith Re submitted on November 12, 2014 for an interpretation of Section 385 and variances of Sections 334 and 906 of the Darien Zoning Regulations; to allow the construction of a two story replacement house with front yard parking; Section 385: a determination that the subject lot is a legal nonconforming building lot and can be properly developed with adequate related site improvements; Section 334: construction of a portion of the building lot with 51.0 in lieu of 60.0 feet minimum required lot width; and Section 906.3: installation of one of the two required parking spaces within the Raymond Heights front yard setback space.

The property is situated on the east side of Raymond Heights approximately 315 north of the intersection of Raymond Street and is shown on Assessor's Map #36 as Lot #126-1, being 18 Raymond Heights and located in an R-1/5 (residential) Zone.

CALENDAR NO. 59-2014

The application of Jeffrey W. McDougal and Williams W. Seymour & Assoc., P.C. on behalf of Steven K. & Lisa B. Eppley submitted on November 12, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a replacement pool and spa; Section 406: 34.5 in lieu of 40.0 feet minimum required rear yard setback. The subject property is situated on the west side of Contentment Island Road approximately 260 feet south of the intersection with Tokeneke Beach Drive and is shown on Assessor's Map #67 as Lot #64, being 6 Contentment Island Road and located in an R-1 (residential) Zone.

CALENDAR NO. 60-2014

The application of Wilder G. Gleason, Esq. and Gleason & Associates on behalf of T. G. Diners, LLC, tenant and Gruss/Lesser Properties LLC submitted on November 17, 2014 for variances of Sections 675, 226, 903 and 908 of the Darien Zoning Regulations; to allow the construction of one and one half story additions and the installation of a cooler/freezer unit; Section 675: 21.6 in lieu of 30.0 feet minimum required front yard setback; and Sections 226, 903.3 and 908e: 21.0 in lieu of 24.0 feet minimum required parking backup and driveway aisle. The subject property is situated on the northwest side of the Boston Post Road approximately 220 feet northeast of the intersection with Birch Road and is shown on Assessor's Map 13 as Lot #3, being 275 Boston Post Road and located in an SB-E (Service Business East - commercial) Zone and an R-1/2 (residential) Zone

DELIBERATIONS AND DECISIONS

Discussion, deliberation and possible decisions for Public Hearing request items listed above. Four affirmative votes out of the five seated ZBA members are required to approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring properties. If complications arise ZBA deliberation of the requests may be postponed or continued to a later meeting date.

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1. Approval of Minutes of meeting on October 22, 2014. ZBA members attending this meeting were Chuck Deluca, Jeff Williams, Vic Capellupo, Gary Greene, and Mike Nedder.
2. Approval of Minutes of meeting on November 4, 2014. ZBA members attending this meeting were Chuck Deluca, Jeff Williams, Vic Capellupo, Mike Nedder, and Rich Wood.
3. Approval of Minutes of meeting on November 12, 2014 regarding Calendar No. 23-2014, Douglas & Cameron Sokolik, 10 Hillcrest Avenue. ZBA members attending this meeting were Jeff Williams, Vic Capellupo, Mike Nedder, Rich Wood, and Kevin Fullington.
4. Discussion of Planning and Zoning Commission update of the Plan of Conservation and Development.
5. General discussion of Application Materials, applicant identity, application review procedures, hearing guidelines, hardship criteria, decision practices/guidelines/staff questions, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
6. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).

ADJOURN